

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-CV-00504-FDW-DSC

CPI SECURITY SYSTEMS, INC.,

Plaintiff,

v.

VIVINT SMART HOME, INC.,
f/k/a MOSAIC ACQUISITION CORP.;
LEGACY VIVINT SMART HOME, INC.
f/k/a VIVINT SMART HOME, INC.,

Defendants.

**DEFENDANTS' MOTION
IN LIMINE TO EXCLUDE
VIVINT'S PRIOR LAWSUITS
AGAINST COMPETITORS**

Pursuant to paragraph 4(d) of the Case Management Order (Doc. 35), Defendants Vivint Smart Home, Inc. and Legacy Vivint Smart Home, Inc. (together, "Vivint") respectfully move the Court for an order excluding any evidence, reference, or argument by Plaintiff CPI Security Systems, Inc. at trial regarding prior lawsuits that Vivint has filed against competitors.

The grounds for this motion are set forth more fully in Vivint's contemporaneously filed brief.

Vivint certifies that, prior to filing this motion, its counsel consulted CPI's counsel regarding the relief sought in this motion. CPI does not consent to the relief sought in this motion.

Respectfully submitted the 15th day of December, 2021.

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Local Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that I have electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of filing to all counsel and parties of record.

This the 15th day of December, 2021.

s/ Andrew H. Erteschik
Andrew H. Erteschik